



City Council Agenda

Council President
Tom Boyajian

Councilmembers

Brian Calhoun
Brad Castillo, Acting President
Mike Dages

Jerry Duncan
Henry T. Perea
Cynthia Sterling

City Manager
Daniel G. Hobbs

City Clerk
Rebecca E. Klisch , CMC

City Attorney
Hilda Cantú Montoy

The meeting room is accessible to the physically disabled, and the services of a translator can be made available. Requests for additional accommodations for the disabled, signers, assistive listening devices, or translators should be made one week prior to the meeting. Please call City Clerk's Office at 621-7650

The City Council welcomes you to this meeting.

TUESDAY, JUNE 10, 2003

The agenda is available on (www.ci.fresno.ca.us) The Council meeting can also be heard live at the same web site address. For each action item considered by the Council, there will be a staff presentation, a presentation from the project applicant and public testimony. If you would like to speak, fill out a speaker request form available from the City Clerk's Office and in the Council Chambers. Public testimony is limited to three minutes per person.

Council action on unscheduled items, if any, shall be limited to referring the item to staff for a report and possible scheduling on a future Council agenda. Public testimony will not be taken on unscheduled/non-action items.

The three lights on the podium next to the microphone will indicate the amount of time remaining for the speaker. The green light will be turned on when the speaker begins. The yellow light will come on with one minute remaining and one tone will sound. The speaker should be completing the testimony by the time the red light comes on and two tones sound, indicating that time has expired.

8:30 A.M. ROLL CALL

Invocation

Pledge of Allegiance to the Flag

Presentation of Ceremonial Documents:

Proclamation of "FALCON CLEANERS DAY" - Councilmember Dages

Proclamation of "MEN WHO COOK AND SOME WHO DON'T DAY" - Acting President Castillo

Proclamation of 'PURPLE HEART POSTAGE STAMP DAY" - Mayor Autry and All Councilmembers

Presentation by the American Lung Association of the "Golden Lung Award" to the Police Department

Approve minutes of June 3 and June 5, 2003

Action Taken:

Councilmember Reports and Comments

Action Taken:

Approve Agenda

Action Taken:

Adopt Consent Calendar

Action Taken:

1. **CONSENT CALENDAR**

(Consent calendar items are considered to be routine and will be treated as one agenda item. The Consent Calendar will be enacted by one motion. Public comment on the Consent Calendar is limited to three (3) minutes per speaker. There will be no separate discussion of these items unless requested by a Councilmember, in which event the item will be removed from the Consent Calendar and considered immediately following.

- A. Approve an Agricultural Lease Agreement with the Quist Dairy, A California Partnership (QUIST), for 401 acres of City-owned property at the Regional Wastewater Reclamation Facility - Dept. of Public Utilities
Action Taken:
- B. Award a contract to Pioneer Equipment Company for one (1) 375 HP AG tractor - General Services Dept.
Action Taken:
- C. Reject single bid for installation of an 8-inch water main for Mariposa Street, Floradora and Lamona Avenue - General Services Dept./Dept. of Public Utilities
Action Taken:
- D. Award a contract to Spiniello Companies of Morristown, New Jersey, for CIPP liner and related improvements for Herndon interceptor capacity enhancements - General Services Dept./Public Works Dept.
Action Taken:

1. **GENERAL CONSENT CALENDAR CONTINUED**

- E. * **BILL - (*For introduction*)** - Amending Sections of the Uniform Fire Code, 2001 Edition, as amended by the State of California, 2001 Edition, and Fresno Municipal Code concerning wood products and related materials storage - Fire Department
Action Taken:
- F. **RESOLUTION** - Dedicating certain City-owned property for public street purposes, property located between Valentine Avenue and the Southern Pacific Railroad overcrossing - Public Works Dept.
Action Taken:
- G. Authorize staff to negotiate and enter into a Professional Services Agreement with Boyle Engineering Corporation for a Nitrate Management Plan (PLAN) - Public Works Dept.
Action Taken:
- H. Resolutions pertaining to the City of Fresno Landscaping and Lighting Maintenance District No. 1 - Public Works Dept.
1. **RESOLUTION** - Initiating proceedings for the annual levy of assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1
Action Taken:
2. **RESOLUTION** - to levy and collect the annual assessment for the City of Fresno Landscaping and Lighting Maintenance District No. 1
Action Taken:
- I. * **RESOLUTION** - 86th amendment to the AAR No. 2002-216 appropriating \$250,000 in additional revenues for voluntary overtime for the Police Department (***Requires 5 affirmative votes***)
Action Taken:
- J. **RESOLUTION** - Approving the Final Map of Tract No. 4682 and accepting dedicated public uses therein; a 107-lot single-family residential subdivision with two (2) outlots on approximately 24.51 acres of property located on the north side of E. Grove Avenue between S. Peach and S. Minnewawa Avenues - (***Property located in Council District 5***) - Planning and Development Dept.
Action Taken:
- K. Resolution pertaining to Lead-Based Paint Hazard Control Grant Program Application - Housing, Economic and Community Development
1. **RESOLUTION** - Authorizing City Manager to submit Lead-Based Paint Hazard Control Grant Program Application to U. S. Department of Housing and Urban Development (HUD) and authorizing City Manager, upon City Attorney's approval, to sign all necessary documents and agreements to implement the grant, if awarded
Action Taken:

ADOPT CONTESTED CONSENT ITEMS

TIME SCHEDULED HEARINGS AND MATTERS

9:30 A.M.

JOINT MEETING WITH THE REDEVELOPMENT AGENCY

Approve Agency minutes of June 3, 2003

Action Taken:

- A. CONTINUED HEARING** to consider actions relating to the approval and adoption of the Proposed Freeway 99-Golden State Corridor Boulevard Redevelopment Plan

Action Taken: *(Continue to 6/17/2003 @ 9:30 A.M.)*

- B.** Request status on Uptown Arts District Streetscape Project - Councilmember Perea

ADJOURN AGENCY

10:00 A.M.

CONTINUED HEARING to consider Plan Amendment Application No. A-01-13, Rezoning Application No. R-01-16 and environmental findings, filed by Krazan and Associates on behalf of Margaret Jensen, for 6.5 acres located on the south side of W. Herndon Avenue at the N. Hayes Avenue alignment - ***(Property located in Council District 2)***

Action Taken:

1. Consider and adopt the Mitigated Negative Declaration for Environmental Assessment No. A-01-13, R-01-16
Action Taken:
2. **RESOLUTION** - Amending the 2025 Fresno General Plan and Bullard Community Plan
Action Taken:
3. **BILL** - Amending the Official Zone Map to rezone the subject property from the AE-5/UGM and R-2/UGM zone districts to the C-P/EA/UGM/cz zone district
Action Taken:

10:10 A.M.

CONTINUED HEARING to consider Plan Amendment Application No. A-01-14, Rezoning Application No. R-01-17 and environmental findings, filed by Krazan and Associates on behalf of Margaret Jensen, for 7.75 acres located on the southeast corner of N. Bryan (Riverside Drive) and W. Spruce Avenues (Josephine Avenue) - ***(Property located in Council District 2)***

Action Taken:

1. Consider and adopt the Mitigated Negative Declaration for Environmental Assessment No. A-01-14, R-01-17
Action Taken:
2. **RESOLUTION** - Amending the 2025 Fresno General Plan and Bullard Community Plan
Action Taken:
3. **BILL** - Amending the Official Zone Map to rezone the subject property from the AE-5/EA/UGM zone district to the C-R/UGM zone district
Action Taken:

TIME SCHEDULED HEARINGS AND MATTERS CONTINUED

10:15 A.M. HEARING on the proposed use of FY 2004 Federal Entitlement Funds through the Community Development Block Grant (CDBG), HOME Investment Partnerships (HOME) and Emergency Shelter Grant (ESG) Programs - Housing, Economic and Community Development
(Continue to 6/19/2003 at 1:30 p.m. To be heard as part of the budget.)

Action Taken:

10:30 A.M. Presentation by Harlan Kelly and Floyd Harris relating to Yaweh's Recycling and Green's Recycling - Councilmember Sterling

NOON - 1:30 P.M. RECESS

1:30 P.M. CONTINUED BUDGET HEARING

1. * **RESOLUTION** - Adopting FY 2003-2004 City of Fresno Budget, including the Community Block Grant (CDBG) budget, and including the Annual Appropriation Resolution (**AAR**)
2. * **RESOLUTION** - Adopting the FY 2003-2004 Position Authorization Resolution (**PAR**)
3. * **RESOLUTION** - Adopting the 409th amendment to the Master Fee Schedule (**MFS**) Resolution No. 80-420 (annual amendment)
4. * **BILL - (For introduction and adoption)** - Adopting the Property Tax Override (**PTO**) Ordinance
5. Selection of methodology for determination of FY 2003-2004 Gann Appropriation Limit
6. * **RESOLUTION** - Establishing rules for the application of City employee compensation rates and schedules and related requirements, and establishing compensation rates and schedules - FY 2004 Salary Resolution

*Subject to Mayoral veto.

Department Presentations/Council consideration (as time permits):

- a. Parks & Recreation (**Continued from 6/5/2003**)
- b. Personnel
- c. Public Works Dept.
- d. City Council
- e. Information Services Department

Action Taken:

2. GENERAL ADMINISTRATION

- A. * **BILL NO. B-43 - (Intro. 6/3/2003) - (For adoption)** - Amending the Fresno Municipal Code relating to protected and unprotected strikes and work stoppages - Personnel Services Dept./City Attorney's Office

Action Taken:

- B. * **RESOLUTION** - To appropriate \$1,392,720 for the purpose of paying the 2003 reimbursement due Calcot Ltd. for improvements undertaken as part of a Development Agreement approved February 4, 1997, and declaring its intent to reimburse itself from proceeds of City incurred indebtedness - Public Works Dept.

Action Taken:

3.

CITY COUNCIL

- A. Discussion requesting Council approval of Diamond Sports Bar's sale of casino assets to Club One - Acting President Castillo
Action Taken:
1. * **BILL - (For introduction)** - Amending the Fresno Municipal Code relating to increasing the allowable number of card tables per card room
Action Taken:
- B. Discussion to consider Council direction to establish a Fresno County Joint Purchasing Center. - Councilmember Calhoun
Action Taken:
- C. **RESOLUTION** - Requesting support for the in-home supportive services - Councilmember Perea
Action Taken:

4.

CLOSED SESSION

- A. **CONFERENCE WITH LEGAL COUNSEL - EXISTING LITIGATION**, Government Code Section 54956.9(a)
1. **Case Name:** Rhonda Jackson v. City of Fresno, et al.
2. **Case Name:** Bombay Corporation, et al. v. City of Fresno
3. **Case Name:** Howard Jarvis Taxpayers Association v. City of Fresno
4. **Case Name:** Heritage Fresno, Midge Barrett, v. City of Fresno, et al.
Action Taken:
- B. **CONFERENCE WITH LEGAL COUNSEL - ANTICIPATED LITIGATION** - Government Code Section 54956.9, Subdivision (b) **Significant Exposure to Litigation:**
1. Claim of Michelle Cortez v. City of Fresno, et al.
2. Claim of Archie and Marion Crippen
Action Taken:
- C. **CONFERENCE WITH LABOR NEGOTIATOR** - Government Code Section 54957.6
City Negotiator(s): Severo Esquivel, Adela Gonzalez and Jorge C. Aguiniga
Employee Organization(s):
1. Fresno City Employees' Association (FCEA)
Action Taken:

5.

CLOSED SESSION ANNOUNCEMENTS

**PUBLIC COMMENT PERIOD - No Council action except to place on future agenda.
Presentation limited to three (3) minutes**

6.

- A. Scheduled communications
1. Appearance by Lowell T. Carruth to discuss card room issues
- B. Unscheduled communication - Members of the public may address the Council regarding items that are not listed on the agenda and within the subject matter jurisdiction of the Council. Each person is limited to a three (3) minute presentation. Anyone wishing to be placed on an agenda for a specified topic should contact the City Clerk Department at least 10 days prior to the desired date.

SCHEDULED COUNCIL HEARINGS AND MATTERS

June	17 -	9:30 A.M.	CONTINUED JOINT HEARING/RDA to consider actions relating to the approval and adoption of the Proposed Freeway 99-Golden State Corridor Boulevard Redevelopment Plan
June	17-	10:00 A.M.	HEARING re: Community Facilities District No. 2, Annexation No. 51, Tract No. 4993
June	17-	10:10 A.M.	HEARING re: Community Facilities District No. 2, Annexation No. 44, Tract No. 5071
June	17-	10:15 A.M.	HEARING re: Rezone Appl. No. R-03-005, filed by Riverpark Bible Church
June	24 -	9:30 A.M.	JOINT HEARING WITH RDA - To consider adoption of a resolution that public interest and necessity require acquisition of certain property located at 257 N. Thesta (APN 459-262-28)
June	24-	10:00 A.M.	HEARING re: Community Facilities District No. 2 - Alternation of area to be maintained by Annexation No. 47, Tract No. 5099
June	24-	10:15 A.M.	HEARING re: Rezone Appl. No. R-03-13, filed by Capistrano Fresno Partners
June	24 -	10:30 A.M.	JOINT POWERS FINANCING AUTHORITY - Authorizing investment of monies in the local agency investment fund and approving promissory note to the City of Fresno
June	24 -	10:45 A.M.	CONTINUED HEARING to consider Rezoning Application No. R-03-09 and environmental findings, filed by Lawrence Partners
July	1 -	NO MEETING - COUNCIL VACATION	
July	8-	NO MEETING - COUNCIL VACATION	
July	15-	10:00 A.M.	HEARING re: Community Facilities District No. 2, Annexation No. 52, Tract No. 5110
July	15 -	10:10 A.M.	HEARING re: Rezone Appl. No. R-03-024, filed by William A. Lewis, property located at 410 W. El Dorado Avenue
July	15-	10:15 A.M.	HEARING re: LLMD levying annual assessments
July	15-	10:30 A.M.	HEARING re: Rezone Appl. No. R-02-15, filed by St. Agnes
July	15-	10:35 A.M.	HEARING re: Rezone Appl. No. R-03-10, filed by Richard Fairbank
July	15 -	10:40 A.M.	HEARING re: Rezone Appl. No. R-03-011, filed by Tejinder Randhawa, property located at 1210 Collins Avenue
July	15-	10:45 A.M.	HEARING re: designating four locations to the Local Register of Historic addresses
July	15 -	11:00 A.M.	HEARING re: Rezone Appl. No. R-03-023, filed by Chizuko Inouye, property located at 1362 N. Cedar Avenue

BUDGET HEARING SCHEDULE FY 2004 - (SUBJECT TO CHANGE)

June	17 -	1:30 P.M. - 5:30 P.M.	Public Utilities, Planning & Development, Economic Development, Mayor, Finance, City Manager, Convention Center
June	19 -	1:30 P.M. - 5:30 P.M.	Capital Budget City-wide, CDBG Annual Action Plan
June	24 -	1:30 P.M. - 5:30 P.M.	BUDGET ADOPTION